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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TROY CHATTARIYANGKUL, )  
 )  
Defendant. )

No. CR 3-12-71281-MAG

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING APPEARANCE  
DATE AND EXCLUDING TIME  
PURSUANT TO FED. R. CRIM. P. 5.1 &  
18 U.S.C. § 3161**

The parties, by and through counsel, stipulate and agree as follows:

1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until November 7, 2013, and the hearing scheduled for September 9, 2013, vacated.

2. Counsel for the United States and the defendant are seeking to enter into a pre-trial diversion agreement in this case. Pre-trial Services informed the Government that it would like to conduct an investigation in order to make a recommendation regarding the agreement, which will take approximately 45 days. The parties are thus requesting to set a control date for November 7, 2013.

3. The parties agree that extending the time limits of Rule 5.1 and the Speedy Trial Act

STIPULATION & [PROPOSED] ORDER EXCLUDING TIME  
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1 serves the ends of justice and outweighs the interests of the public and the defendant in a speedy  
2 trial. 18 U.S.C. §§ 3161(h)(2); (h)(7).

3 3. The hearing scheduled for September 9, 2013, should be vacated. The next date in this  
4 case shall be a control date set for November 7, 2013, at 9:30 am before the duty  
5 magistrate in San Francisco.

6  
7 SO STIPULATED AND AGREED,

8  
9 MELINDA HAAG  
United States Attorney

10  
11 DATED: September 6, 2013

12 /s/\_\_\_\_\_  
CAROLYN SILANE  
Special Assistant United States Attorney

13  
14 DATED: September 6, 2013

15 /s/\_\_\_\_\_  
GAIL SHIFFMAN  
Attorney for Troy Chattariyangkul

16  
17  
18 ~~PROPOSED~~ ORDER

19  
20 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. §§ 3161(h)(2); (h)(7), IT IS  
21 SO ORDERED.

22  
23  
24 DATED: September 9, 2013

25   
HON. ELIZABETH LAPORTE  
United States Magistrate Judge